

S U M M A R Y A C T I O N M I N U T E S



REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA

Tuesday, September 16, 2003, 9:30 A.M.

BOARD HEARING ROOM, FIRST FLOOR
10 Civic Center Plaza
Santa Ana, California

THOMAS W. WILSON
CHAIRMAN
Fifth District

JAMES W. SILVA
VICE CHAIRMAN
Second District

CHARLES V. SMITH
SUPERVISOR
First District

BILL CAMPBELL
SUPERVISOR
Third District

CHRIS NORBY
SUPERVISOR
Fourth District

ATTENDANCE: Supervisors: Silva, Campbell, Norby and Wilson

EXCUSED: Supervisor Smith

PRESENT:	COUNTY EXECUTIVE OFFICER	James D. Ruth, Interim CEO
	COUNTY COUNSEL	Benjamin P. de Mayo
	CLERK OF THE BOARD	Susan Novak, Assistant

INVOCATION: Supervisor Campbell, Third District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Norby, Fourth District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Chairman Wilson introduced Honorable Lee Youn-bok, Consul General of the Republic of Korea

Chairman Wilson presented a resolution to commend The Irvine Company and Trails4All for sponsoring and organizing the September 20, 2003, 7th Annual Inner-Coastal and Watershed Cleanup Day

Chairman Wilson presented a resolution commending Margaret Hagy on her retirement

II. CONSENT CALENDAR (Items 1-29)

43125 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 4 WHICH WAS**
X **PULLED FOR DISCUSSION AND SEPARATE VOTE**

S U M M A R Y A C T I O N M I N U T E S

BOARD APPOINTMENTS

1. **Supervisor Smith** - Mental Health Board - Reappoint Randolph Beckx, Santa Ana, for term ending 9/15/06

COMMENDATIONS/PROCLAMATIONS

2. **Supervisor Smith** - Adopt resolution recognizing Carlos Bustamante for his outstanding work as President of Greater Santa Ana Kiwanis Club for 2002-03
RESO: 03-307
3. **Chairman Wilson** - Adopt resolution recognizing Assistant Sheriff John "Rocky" Hewitt for his 36 1/2 years of service
RESO: 03-308

HEALTH CARE AGENCY

4. Adopt resolution approving submission of grant applications for continued funding of department programs; and rescinding Resolution 02-263 - All Districts
52134 **CONTINUED TO 9/23/03, 9:30 A.M.**
X
5. Approve transfer of Managed Care funds from State Department of Mental Health to California Mental Health Directors Association for funding of Statewide Administrative Services Organization for minors placed out of Orange County, FY 2003-04 (\$125,000) - All Districts
6. Approve amended price agreement N2000004111 with CLEW Associates, Inc. for Alcohol/Drug Sensitive Information Planning System Program, 9/17/03 - 6/30/04 (\$52,100) - All Districts

JOHN WAYNE AIRPORT

7. Approve amended purchase order with Ladner Coatings, Incorporated for critical service needed outside of original scope of work to refurbish 14 passenger loading bridges (\$13,300; new total \$59,728) - District 2

PLANNING AND DEVELOPMENT SERVICES

8. Approve Tract 16347, William Lyon Homes, Incorporated, Ladera Ranch area; accept easements for emergency and public vehicular ingress and egress; approve construction agreement S0503-0130 and accept bonds guaranteeing construction of improvements - District 5

PUBLIC FACILITIES AND RESOURCES DEPARTMENT

9. Approve agreement 03-0415 with State Department of Food and Agriculture for mandated enforcement of egg quality control regulations, 7/1/03 - 6/30/04 (\$7,500 revenue) - All Districts
10. Approve agreement 03-0030C with the State Department of Pesticide Regulation for data entry of pesticide use reports, 7/1/03 - 6/30/04 (\$18,144 revenue) - All Districts

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11. Approve plans and specifications and set bid opening for 10/15/03, 2:00 p.m., for reconstruction of curb and gutter, Tustin area; and make California Environmental Quality Act findings - District 3
12. Authorize release of securities for traffic signal installations on Antonio Parkway and Oso Parkway, Las Flores Community, L.P., Las Flores area - District 5
13. Approve plans and specifications and set bid opening for 10/22/03, 2:00 p.m., for ADA compliance of new public restroom building, Mason Regional Park - District 3
14. Approve amended agreement D02-130 with San Bernardino County Flood Control District, Riverside County Flood Control and Water Conservation District and Santa Ana Watershed Project Authority to include Santa Ana Regional Water Quality Control Board for assistance with Triennial Review - All Districts
15. Approve plans and specifications and set bid opening for 10/22/03, 2:00 p.m., for ADA compliance of new restroom building, Carbon Canyon Regional Park - District 3
16. Approve agreement with BFL Owen & Associates for seismic design upgrade, Civic Center Garage, Santa Ana (\$223,135) - District 1 (Continued from 9/9/03, Item 14)
17. **Acting as the Orange County Flood Control District** - Select M.J. Schiff & Associates, Inc. as primary and Farwest Corrosion Control Company as alternate firms for professional engineering support services, Talbert and Huntington Beach Channels; and authorize negotiation of agreement for Board approval - District 2

PUBLIC PROTECTION

Probation:

18. Ratify execution and submission of grant application and related documents to State Office of Criminal Justice Planning for continued federal funding of Juvenile Accountability Incentive Block Grant, 6/30/03 - 6/29/04 (\$309,241) - All Districts
19. Approve leases with Muller-MacArthur LLC and Muller-Anaheim LLC for continued operation of North Orange County Youth & Family Resource Center, Anaheim, 6/1/03 - 5/31/05 and 10/1/03 - 9/30/05; and make California Environmental Quality Act findings - District 4
20. Approve Federal Annual Certification Report for continued participation in Federal Equitable Sharing Program, FY 2002-03 - All Districts

Sheriff-Coroner:

21. Adopt resolution approving agreement 03-011-37 with State Commission on Peace Officer Standards and Training for Basic Narcotics Investigation Course; and authorize Sheriff-Coroner or designee to execute contractor certification (Form CCC201), 7/1/03 - 6/30/04 (\$67,500 revenue) - All Districts
RESO: 03-309

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- 22. Approve price agreement N1000005420 with M.C. Nottingham Company, Inc. for septic tank pumping, cleaning and maintenance at various facilities, 9/16/03 - 8/31/04 (\$50,000); renewable for two additional years - All Districts
- 23. Authorize Sheriff or his designee to execute and submit the National Institute of General Medical Sciences Human Genetic Cell Repository Assurance Form for Human Cell Lines, Somatic Cell Hybrids and DNA samples to U.S. Department of Health and Human Services - All Districts
- 24. Adopt resolution authorizing signatures for applications and documents for financial assistance under Robert T. Stafford Disaster Relief and Emergency Assistance Act - All Districts
RESO: 03-310

GENERAL ADMINISTRATION

- 25. **Auditor-Controller** - Adopt resolution approving amended FY 2003-04 Property Tax Rate for Newport-Mesa Unified School District - Districts 2 & 5
RESO: 03-311
- 26. **County Executive Office** - Approve agreement 03-015AR with American Municipal Tax-Exempt Compliance Corporation for arbitrage rebate services (\$50,000 per year), term ending 7/31/08 - All Districts
- 27. **Treasurer-Tax Collector** - Rescind Resolution 91-1176 allowing Treasurer-Tax Collector to charge a fee of \$10 for copies of the Auction Sale Properties list - All Districts

EXTERNAL RESTRUCTURING PROGRAM FOR THE COUNTY OF ORANGE

- 28. Receive and file the External Restructuring Program Report for the County of Orange

STRATEGIC/FINANCIAL PLAN UPDATE

- 29. Receive and file the Strategic/Financial Plan Report for the County of Orange.

END OF CONSENT CALENDAR

S U M M A R Y A C T I O N M I N U T E S

III. DISCUSSION ITEMS (Items 30-S37B)

HEALTH CARE AGENCY

30. Approve amendment 2 to standard agreement No. 00-91681 with State Department of Health Services for Ryan White CARE Act, Title II Funding, 4/1/01 - 3/31/04 (\$168,517; new total \$1,706,827) - All Districts

32145 **APPROVED AS RECOMMENDED**
X

31. Approve two Memorandum of Understandings with Orange County Children and Families Commission for Public Health Nursing support to Project Connections Family Resource Center, 7/1/03 - 6/30/04 (\$937,600) and Bridges II Program services, 7/1/03 - 12/31/04 (\$988,335) - All Districts

32145 **APPROVED AS RECOMMENDED**
XA

HOUSING AND COMMUNITY SERVICES DEPARTMENT

32. Authorize staff to negotiate a non-financial Memorandum of Understanding with Southern California Teacher Recruitment Center and negotiate agreements with Propath, Inc. (\$164,000), the Orange County Department of Education (\$67,200), and California State University Fullerton (\$376,800) for Technology-to-Teaching Grant and return to Board for approval - Districts 2 & 4

43125 **APPROVED AS RECOMMENDED**
X

33. Approve contract award recommendations with Coast Community College District (\$3,516,375) and TTI America, Inc. (\$300,000) for One-Stop Centers and Business Services Center for Workforce Investment Area, 10/1/03 - 6/30/08; and authorize negotiation of agreements for future Board approval - Districts 1, 2 & 5

52134 **APPROVED AS RECOMMENDED**
X

34. Authorize issuance of 2003 Round A Multi-Family Affordable Rental Housing notice of funding availability - All Districts

23145 **APPROVED AS RECOMMENDED**
X

PUBLIC PROTECTION

35. **Probation** - Approve agreement with Aspen Community Services for comprehensive employment services for North Orange County Youth and Family Resource Center, 10/1/03 - 9/30/04 (\$248,284); authorize Chief Probation Officer to extend agreement for two additional years under certain conditions (\$267,106 second year and \$274,370 third year); and make California Environmental Quality Act findings - District 4

43125 **CONTINUED TO 9/30/03, 9:30 A.M.**
X

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GENERAL ADMINISTRATION

County Executive Office:

36. Approve proposed response to findings 1-5 and recommendations 1-4 to FY 2002-03 Grand Jury Report "Who Represents the Orange County Taxpayers?" - All Districts (Continued from 8/26/03, Item 51)
- B.O. **CONTINUED TO 10/28/03, 9:30 A.M.**
37. Approve recommended positions on introduced or amended legislation and consider other legislative subject matters - All Districts
- B.O. **CONTINUED TO 9/23/03, 9:30 A.M.**
- S37A. **Chairman Wilson** - Adopt resolution commending Sheriff Captain Tom Davis on his retirement
52134 **APPROVED AS RECOMMENDED**
X
RESO: 03-312
- S37B. **Registrar of Voters** - Approve purchase of four Fujitsu 4099D scanners to support the processing of voted ballots in the October 7, 2003 statewide special election - All Districts
- B.O. **CONTINUED TO 9/23/03, 9:30 A.M.**

IV. PUBLIC HEARINGS (Item 38)

HEALTH CARE AGENCY

38. Public Hearing to consider adopting resolution establishing fee and authorizing Agency to administer influenza vaccine to willing County employees, effective 10/1/03; and make California Environmental Quality Act findings - All Districts
- B.O. **CLOSED PUBLIC HEARING**
- 34125 **APPROVED AS RECOMMENDED**
X
RESO: 03-313

V. CLOSED SESSION (Items CS-1-CS-2)

GENERAL ADMINISTRATION

- CS-1. **County Counsel** - Closed Session CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Paula Skerston v. County of Orange, USDC Case Nos. SACV-01-0419 GLT; SACV-03-0406 DOC
- B.O. **HELD, THE CLERK READ: THE BOARD BY UNANIMOUS VOTE, SUPERVISOR SMITH BEING ABSENT, APPROVED A PROPOSED SETTLEMENT IN THE CASE OF PAULA SKERSTON V. COUNTY OF ORANGE. THE PROPOSED SETTLEMENT REMAINS SUBJECT TO FINAL APPROVAL OF OTHERS. AS SOON AS THE PROPOSED SETTLEMENT BECOMES FINAL, DETAILS WILL BE MADE AVAILABLE IN THE OFFICE OF CEO/RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.**

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- CS-2. **County Executive Office** - Closed Session CONFERENCE WITH LABOR NEGOTIATOR -
Pursuant to Government Code Section 54957.6:
Agency negotiator: Susan Paul
Employee Organization: Association of Orange County Deputy Sheriffs
- B.O. **HELD, NO REPORTABLE ACTION**

VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Mark Cleary - Oral Re: Citizens against the paving of the Arroyo Trabuco Wilderness Trail

BOARD COMMENTS:

Supervisor Campbell - Oral Re: Visited Hamilton Vineyard in Trabuco Canyon

ADJOURNED: 10:39 A.M.

*** KEY ***

Left Margin Notes

- 1. = Supervisor Smith
- 2. = Supervisor Silva
- 3. = Supervisor Campbell
- 4. = Supervisor Norby
- 5. = Chairman Wilson

Right Margin Notes

- A. = Abstained
- X. = Excused
- N. = No
- BO = Board Order
- O. = Ordinance
- R. = Resolution

Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)

THOMAS W. WILSON, CHAIRMAN
Orange County Board of Supervisors

SUSAN NOVAK, ASSISTANT
Orange County Clerk of the Board